

Notice of Allowability

Application No.

10/775,341

Examiner

Allison M. Ford

Applicant(s)

TANAKA ET AL

Art Unit

1651

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to telephonic interview of 7/17/06.
2. ☒ The allowed claim(s) is/are 1-5, 7-13, 27-29, 33 and 35-64.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Chereskin on 17 July 2006.

The application has been amended as follows:

Re-write claim 1 as follows:

-- Claim 1. A multiwell plate for transfecting a eukaryotic cell with a biomolecule wherein the bottoms of at least some of the wells are at least partially affixed with a composition consisting essentially of a transfection agent, wherein the transfection reagent is a metal salt. --

Re-write claim 7 as follows:

-- Claim 7. The multiwell plate of claim 4, wherein the matrix is selected from the group consisting of proteins, glycoproteins, peptides, polysaccharides, polymers and combinations thereof. --

Re-write claim 8 as follows:

-- Claim 8. The multiwell plate of claim 7, wherein said protein is selected from the group consisting of gelatin, collagen, laminin, fibronectin, bovine serum albumin and combinations thereof. --

Re-write claim 33 as follows:

-- Claim 33. The method of claim 27, wherein the calcium chloride in the gel matrix is retained on the solid surface. --

Art Unit: 1651

Re-write claim 35 as follows:

-- Claim 35. The method of claim 27, wherein the matrix is selected from the group consisting of proteins, glycoproteins, peptides, polysaccharides, polymers and combinations thereof. --

Re-write claim 36 as follows:

-- Claim 36. The method of claim 35, wherein said matrix is selected from the group consisting of gelatin, collagen, laminin, fibronectin, polysaccharides, polymers and combinations thereof. --

Re-write claim 51 as follows:

-- 51 . A method of determining whether biomolecules can enter eukaryotic cells, said method comprising:

- (a) providing a multiwell plate according to claim 1;
- (b) adding the biomolecules to the multiwell plate such that the biomolecules interact with the metal salt;
- (c) seeding the eukaryotic cells onto the multiwell plate with sufficient density and under appropriate conditions for introduction of the biomolecules into the cells; and
- (d) detecting whether the biomolecule have entered the cells. --

Conclusion

Please rejoin withdrawn claims 27-29, 33 and 35-64. Claims 1-5, 6-13, 27-29, 33, 35-64 are allowed.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Allison M. Ford whose telephone number is 571-272-2936. The examiner can normally be reached on 7:30-5 M-Th, alternate Fridays.

Art Unit: 1651

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Wityshyn can be reached on 571-272-0926. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Allison M Ford
Examiner
Art Unit 1651


LEON B. LANKEFORD, JR.
PRIMARY EXAMINER